

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Hideaki Komatsu
Full name of second joint-inventor, if any

Hideaki Komatsu
Inventor's signature

June 13/ 2002
Date

1-24-5-1004 Kaga-hara, Tsuzuki-ku, Yokohama-shi, Japan
Residence

Japan
Citizenship

Same as above.
Post Office Address

John Craig Whaley
Full name of third joint-inventor, if any

Inventor's signature

Date

151 Calderon Avenue #194, Mountain View, California 94041
Residence

USA
Citizenship

Same as above.
Post Office Address

Full name of fourth joint-inventor, if any

Inventor's Signature

Date

Residence

Citizenship

Post Office Address

Full name of fifth joint inventor, if any

Inventor's Signature

Date

Residence

Citizenship

Post Office Address

Full name of sixth joint-inventor, if any

Inventor's signature

Date

Residence

Citizenship

Post Office Address

Docket No. JP920000420US1

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROGRAM OPTIMIZATION METHOD AND COMPILER USING THE PROGRAM OPTIMIZATION METHOD

the specification of which (check one)

 is attached hereto. was filed on February 27, 2002 as United States Application Number 10/085,455or PCT International Application Number _____
and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed
<u>2001-055996</u> (Number)	<u>Japan</u> (Country) <u>28/02/01</u> (Day/Month/Year Filed) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u> </u> (Number)	<u> </u> (Country) <u> </u> (Day/Month/Year Filed) <input type="checkbox"/> Yes <input type="checkbox"/> No
<u> </u> (Number)	<u> </u> (Country) <u> </u> (Day/Month/Year Filed) <input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>(Application Number)</u>	<u>(Filing Date)</u>
<u>(Application Number)</u>	<u>(Filing Date)</u>

I hereby claim the benefit under 35 U.S.C. §120 of any United States Application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status) (patented, pending, abandoned)</u>
<u>(Application Serial No.)</u>	<u>(Filing Date)</u>	<u>(Status) (patented, pending, abandoned)</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Manny W. Schecter (Reg. 31,722), Kevin M. Jordan (Reg. 40,277), Christopher A. Hughes (Reg. 26,914), John E. Hoel (Reg. 26,279), Joseph C. Redmond, Jr. (Reg. 18,753), Marc A. Ehrlich, (Reg. 39,966), Derek S. Jennings (Reg. 41,473) Stephen C. Kaufman (Reg. 29,551), Richard M. Ludwin (Reg. 33,010), Robert P. Tassinari (Reg. 36,030), Robert M. Trepp (Reg. 25,933), Louis P. Herzberg (Reg. 41,500), Daniel P. Morris (Reg. 32,053), Paul J. Otterstedt (Reg. 37,411) Marian Underweiser (Reg. 46,134), Douglas W. Cameron (Reg. 31,596), Timothy M. Farrell (Reg. 37,321) and Gail H. Zarick (Reg. 43,303).

Send Correspondence to: Douglas W. Cameron, Intellectual Property Law Dept.IBM Corporation, P.O. Box 218, Yorktown Heights, New York, 10598Direct Telephone Calls to: (name and telephone number) Douglas W. Cameron at (914) 945-3244Motohiro Kawahito

Full name of sole or first inventor

Inventor's Signature _____ Date _____

683-29 Kamitsuruma, Sagamihara-shi, Kanagawa-ken, Japan
ResidenceJapan
CitizenshipSame as above.
Post Office Address

Docket No. JP920000420US1DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATIONHideaki Komatsu

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Inventor's signature

Date

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Citizenship

Same as above.

Post Office Address

John Craig Whaley

Full name of third joint-inventor, if any

John C. Whaley

7-11-2002

Date

Inventor's signature

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Full name of fifth joint inventor, if any

Inventor's Signature

Date

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Citizenship

Post Office Address

Full name of sixth joint-inventor, if any

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Date

Residence

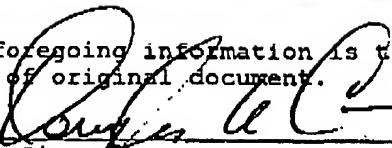
Citizenship

Post Office Address

Atty. Docket No. JP920000420us1

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

**To The Honorable Commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.**

1. Name of conveying party(ies): Motohiro Kawahito Hideaki Komatsu John C. Whaley	2. Name and address of receiving party(ies): Name: International Business Machines Corporation Address: New Orchard Road Armonk, NY 10504
Additional name(s) of conveying party(ies) attached? <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u>	Additional name(s) & addresses attached? <u>Yes</u> <input checked="" type="checkbox"/> <u>No</u>
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment Execution Date(s): <u>June 13, 2002 and July 17, 2002</u>	4. Patent Application number(s) <u>10/085,455</u> Execution Date(s): <u>February 7, 2002</u>
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Douglas W. Cameron Address: IBM Corporation Intellectual Property Law P.O. Box 218 Yorktown Heights, NY 10598	6. Total number of applications involved: 1
	7. Total fee (37 CFR 3.41): \$40.00 <input checked="" type="checkbox"/> Charge to Deposit Account No.: <u>09-0468</u>
DO NOT USE THIS SPACE	
8. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of original document.	
Douglas W. Cameron (Reg. No. 31,596) Name of Person Signing	 Signature
Total Number of pages including cover sheet, attachments, and document: <u>2</u>	
DO NOT DETACH THIS PORTION Mail documents to be recorded with required cover sheet information to: Assistant Commissioner for Patents Box Assignments Washington, DC 20231	
Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, DC 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, DC 20503.	

(JOINT FORM)

IBM Docket) JP920000420US1

Assignment

Whereas, we

INVENTOR AND CITY	(1) Motohiro Kawahito County of	of Kanagawa-ken and Country of Japan
INVENTOR AND CITY	(2) Hideaki Komatsu County of	of Yokohama-shi and Country of Japan
INVENTOR AND CITY	(3) John C. Whaley County of	of Mountain View and State of California
INVENTOR AND CITY	(4) County of	of and State of

TITLE have invented certain improvements in
 PROGRAM OPTIMIZATION METHOD AND COMPILER
 USING THE PROGRAM OPTIMIZATION METHOD

DATES THAT and executed, respectively, a United States patent application therefor on
 INVENTORS (1) 2002 and (2) 2002,
 SIGNED THE (3) July 11, 2002 2002 and (4) 2002
 DECLARATION

Whereas, INTERNATIONAL BUSINESS MACHINES CORPORATION, a corporation of New York, having a place of business at Armonk, New York 10504, (hereinafter called IBM), desires to acquire the entire right, title and interest in the said application and invention, and to any United States and foreign patents to be obtained therefor;

Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said applications to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed

CITY AND DATE	(1) at on	2002,	<u>(Motohiro - Kawahito)</u> FIRST NAME MIDDLE INITIAL LAST NAME	SIGNATURE
CITY AND DATE	(2) at on	2002,	<u>(Hideaki - Komatsu)</u> FIRST NAME MIDDLE INITIAL LAST NAME	SIGNATURE
CITY AND DATE	(3) at on July 11,	2002,	<u>(John C. Whaley)</u> FIRST NAME MIDDLE INITIAL LAST NAME	SIGNATURE
CITY AND DATE	(4) at on	2002,	<u>()</u> FIRST NAME MIDDLE INITIAL LAST NAME	SIGNATURE

Docket No. JP920000420US1

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3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment Execution Date(s): _____	4. Patent Application number(s) Execution Date(s): _____
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Douglas W. Cameron Address: IBM Corporation Intellectual Property Law P.O. Box 218 Yorktown Heights, NY 10598	6. Total number of applications involved: 1 7. Total fee (37 CFR 3.41): \$40.00 <input checked="" type="checkbox"/> Charge to Deposit Account No.: <u>09-0468</u>

DO NOT USE THIS SPACE

8. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of original document.

Douglas W. Cameron (Req. No. 31,596)
Name of Person Signing

Signature

Date 6/26/02

Total Number of pages including cover sheet, attachments, and document: 2

DO NOT DETACH THIS PORTION
Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents
Box Assignments
Washington, DC 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, DC 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, DC 20503.

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Inventor's signature

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INVENTOR AND CITY	(3) John C. Whaley County of	of Mountain View and State of California
INVENTOR AND CITY	(4) County of	of and State of

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USING THE PROGRAM OPTIMIZATION METHOD

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Now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, we, the above named, hereby sell, assign, and transfer to IBM, its successors and assigns, the entire right, title and interest in the said application and invention therein disclosed for the United States and foreign countries, and all rights of priority resulting from the filing of said United States application, and we request the Commissioner of Patents to issue any Letters Patent granted upon the inventions set forth in said applications to IBM, its successors and assigns; and we hereby agree that IBM may apply for foreign Letters Patent on said invention and we will execute all papers necessary in connection with the United States and foreign applications when called upon to do so by IBM.

Signed

CITY AND DATE	(1) at on	Yamato June /13/	2002,	<u>Motohiro</u> <u>Kawahito</u>	SIGNATURE (Motohiro - Kawahito) INVENTOR FIRST NAME MIDDLE INITIAL LAST NAME
CITY AND DATE	(2) at on	Yamato June /13/	2002,	<u>Hideshi</u> <u>Komatsu</u>	SIGNATURE (Hideshi - Komatsu) INVENTOR FIRST NAME MIDDLE INITIAL LAST NAME
CITY AND DATE	(3) at on		2002 ,	<u>John</u> <u>C.</u> <u>Whaley</u>	SIGNATURE (John - C. Whaley) INVENTOR FIRST NAME MIDDLE INITIAL LAST NAME
CITY AND DATE	(4) at on		2002 ,	<u>(</u>	SIGNATURE () INVENTOR FIRST NAME MIDDLE INITIAL LAST NAME